



BRIEFING: JUNE 9, 2015, BOARD MEETING AGENDA ITEM #7

TO: Chairman Richard and Board Members

FROM: Mark McLoughlin, Director of Environmental Services

DATE: June 9, 2015

RE: Consider Providing Approval to Execute and Award the Habitat Mitigation Services Contract for the Fresno to Bakersfield Project Section

Background

Pursuant to Board Resolution #HSRA 15-02, approved on January 13, 2015, the Authority issued a Request for Proposals (RFP) to obtain proposals from qualified entities to provide Habitat Mitigation Services for an amount not to exceed \$53,919,800.

After receipt of those submittals and a thorough evaluation process, Authority staff is prepared to submit its recommendation for awarding the contract to the Board. This item seeks the Board's approval to award a Habitat Mitigation Services contract under RFP HSR#14-56.

These Habitat Mitigation Services will fulfill regulatory requirements that are necessary preconditions to the regulatory agencies issuing permits and approvals for Fresno to Bakersfield - Construction Packages 2-3 and 4 (CP 2-3 and CP 4). This contract will meet a number of biological mitigation obligations contained in the Fresno to Bakersfield Section Environmental Impact Report/Environmental Impact Statement (EIR/EIS), and will fulfill the high-priority preservation of wildlife habitat required under the California Endangered Species Act, the federal Endangered Species Act, the California Fish and Game Code for lake and streambed alteration, and the federal Clean Water Act.

Discussion

RFP Process

The Habitat Mitigation RFP process has been managed directly by Authority staff consistent with the State's competitive procurement process. Two proposers submitted a proposal on or before May 14, 2015 as follows: (1) Westervelt Ecological Services and (2) Wildlands Inc.

Evaluation Process

The RFP proposals were reviewed and evaluated by Authority staff to ensure compliance with minimum requirements. Any proposal meeting minimum requirements was then reviewed and

evaluated by Authority staff in accordance with administrative regulations, policies, and procedures. The Evaluation Selection Committee's scoring criteria for the RFP was as follows:

Evaluation Criteria	Maximum Score	Actual Score
<p>1. PAST PERFORMANCE AND EXPERIENCE</p> <ul style="list-style-type: none"> • How much experience does the proposer's team have in successfully evaluating, selecting, and acquiring potential mitigation sites for large-scale habitat preservation, restoration and creation in the Central Valley of California? • How much experience does the proposer's team have in successfully obtaining Federal and State resource agency approval of proposed large scale habitat preservation, restoration and creation mitigation project? • How much experience does the proposer's team have in successfully designing, constructing and monitoring large-scale preservation, restoration and creation mitigation projects involving similar habitat types to those that would be impacted by the Mitigation services? 	50	
<p>2. UNDERSTANDING OF PROJECT REQUIREMENTS Project Criteria</p> <ul style="list-style-type: none"> • How well has the Proposer demonstrated a thorough knowledge of the Authority's needs (based on the Scope of Work) for habitat mitigation in the habitat mitigation services area? • How well has the Proposer demonstrated a thorough knowledge of what is required to perform the habitat mitigation services? • How well has the Proposer demonstrated that its Work Plan will be successful in implementing the Scope of Work? • Does the Proposer have any unique or special techniques, methods, or approaches that will be used in the various functions to make the Proposer more likely to successfully and timely complete the Work Plan to implement the Scope of Work? • How well has the Proposer demonstrated that its approach to delivering high quality products will be successful and repeatable? • How well did the Proposer identify: (1) the amount of mitigation the bidder presumes would satisfy the Authority's mitigation need (the final mitigation need will be identified in the permits issued to the Authority), (2) the mitigation properties proposed to achieve the Habitat Mitigation Requirements, (3) the property and contractual 	100	

	<p>rights the Proposer proffers to obtain to achieve the Habitat Mitigation Requirements, and (4) justification of the suitability of any proposed mitigation properties not identified in Error! Reference source not found. including, but not limited to, the geographical location, topography and type of mitigation potential.</p> <ul style="list-style-type: none"> How well did the Proposer's schedule demonstrate that the Proposer would begin to implement all off-site mitigation measures and conditions required by the permits related to short-term and long-term habitat, acquisition, preservation, creation, restoration, or enhancement as necessary to allow impacts to resources subject to such permits to proceed in compliance with applicable laws by December 2015 or as indicated in the conditions of the issued permits, whichever is sooner.. 		
	<p>Organization and Management Plan</p> <ul style="list-style-type: none"> How well has the Proposer described how the habitat mitigation services team will work toward the goal of achieving optimal efficiency for delivering the mitigation? How well does the composition of the Proposer's team provide the required experience levels required to perform the Work Plan to implement the Scope of Work and successfully achieve the objectives set forth by the Authority? How well does the team structure as presented in the organizational chart meet the full needs of the Authority? How much history of working together in the past does the Proposer's team have, and has Proposer demonstrated that such past working arrangements have been successful? 	25	
	<p>Key Personnel</p> <ul style="list-style-type: none"> How strong are the personal qualifications and professional skills of the Key Personnel nominees for the roles assigned? How much experience from other projects do individual members of the team have in completing aspects of the Work Plan? How much experience in the Central Valley of California do individuals in the team have in completing the proposed Scope of Work? How well can the Project Manager effectively lead and manage the Work Plan and implement the Scope of Work? How well has the Proposer demonstrated the ability to manage time frames, costs, and issues relevant to successful habitat mitigation delivery? 	50	

3.	SMALL BUSINESS PARTICIPATION <ul style="list-style-type: none"> How well does the approach to Small Business utilization demonstrate the Proposer's responsiveness in meeting the objectives of the Authority's Small Business goals (i.e. 30 percent SB goal which is inclusive of a 10 percent Disadvantaged Business Enterprise (DBE) commitment and a 3 percent Disabled Veterans Business Enterprise (DVBE) goal)? 	50	
4.	FINANCIAL CAPACITY <ul style="list-style-type: none"> How reasonable is the Proposer's Financial Plan for funding the Proposer's Work Plan to implement their Work Plan? Does the Proposer demonstrate financial capacity to deliver their Work Plan and Financial Plan? 	25	
	Total	300	

Based upon these criteria, one of the proposer teams was invited to an interview held on May 28, 2015. Per this RFP, this interview furthered the evaluation and served as a basis for clarifying and finalizing the proposer's technical score. After this process was completed, the final consensus score of the remaining team was as follows: (1) Westervelt Ecological Services - 295.3 points (98.4%). As outlined in the RFP best value process, the cost proposal was then opened, scored (700 points possible) and added to the technical proposal score (300 points possible). Out of 1000 points, Westervelt Ecological Services received 995.3.

Contract Award Terms

Authority staff now seeks approval for the award of a contract for Habitat Mitigation Services. The total amount of the contract will be \$48,895,000.00 with a term of 5 years.

The contract issued for Habitat Mitigation Services will include the Board-adopted 30 percent participation goal under the Revised Small and Disadvantaged Business Enterprise Plan. The 30 percent goal is inclusive of a 10 percent DBE goal and a 3 percent DVBE goal on federally assisted contracts.

The above goal is met with the participation of the following businesses:

- Vinnedge Consulting (DBE)
- Area West Consulting (DBE)
- Helm Biological Consulting (SB)
- The Wildlife Project (DBE)
- Estep Environmental Consulting (SB)
- Wallace-Kuhl & Associates (SB)
- Soils Engineering, Inc. (DVBE)
- Four M Contracting (SB)
- Butte Valley Construction (DVBE)
- SMP (SB)

Westervelt Ecological Services mission is to provide enduring ecological solutions for the benefit of their stakeholders and the lands they conserve. The company creates mitigation banks and provides environmental mitigation and habitat planning services to landowners, businesses, government agencies, and land trusts. They are an established industry leader and excel in the field of wetland and endangered species mitigation services, to create a nationwide habitat mitigation company. With more than half a century of experience in the environmental industry, the senior planners, ecologists, landscape architects, economists, and engineers who guide the land acquisition process at Westervelt Ecological Services have successfully completed over 30 full restoration projects.

Authority staff is now submitting its recommendation of best value proposer to the Board for approval. If approved by the Board, the CEO, on behalf of the Authority, would then finalize and enter into a contract with Westervelt Ecological Services to provide Habitat Mitigation Services.

Recommendation

Staff recommends Board approval to enter into a contract with Westervelt Ecological Services for a total amount of \$48,895,000.00 for a term of five (5) years.

Attachments

– Resolution #HSRA 15-13